

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**FRANCES SWINDLE MARTIN**

**PLAINTIFF**

**V.**

**NO. 4:19cv115-JMV**

**NANCY BERRYHILL,  
*Commissioner of Social Security***

**DEFENDANT**

**ORDER**

**BEFORE THE COURT** are Plaintiff's amended motion [33] for an award of attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), and Defendant's response [34]. Having considered the motion and the applicable law—and hearing no objection from Defendant regarding the hourly rate or amount sought—the Court finds the EAJA award requested is reasonable. Accordingly, it is ORDERED that Plaintiff's request for attorney fees is GRANTED, and Plaintiff is awarded \$8,359.95. Consistent with *Astrue vs. Ratliff*, 130 S. Ct. 2521 (2010), however, the EAJA award check should be made payable to Plaintiff for the benefit of her counsel.

SO ORDERED this 27<sup>th</sup> day of October, 2020.

/s/ Jane M. Virden  
United States Magistrate Judge